

# CITY OF PLYMOUTH HENNEPIN COUNTY, MINNESOTA

## ORDINANCE NO. 2023-

### ORDINANCE AMENDING CHAPTER 21 OF THE PLYMOUTH CITY CODE, ENTITLED THE PLYMOUTH ZONING ORDINANCE

THE CITY OF PLYMOUTH ORDAINS:

Section 1. Amendment. Section 21005.02 of the Plymouth City Code (RULES AND DEFINITIONS—DEFINITIONS) is amended by adding, deleting, or changing the following definitions as follows:

~~Dwelling Unit, Accessory: A self-contained dwelling having its own kitchen and bathroom facilities, and which is designed as a second separate dwelling unit that is clearly incidental and subordinate to the principal use of a lot as a single family detached residence.~~

A self-contained unit that is subordinate and clearly incidental to a primary structure, intended for occupancy by one or more persons, that includes facilities for living, sleeping, cooking, and eating. The definition does not include hotels, tents, seasonal cabins, boarding or rooming houses, motor homes, or travel trailers, nor does it include licensed residential facilities (e.g., assisted living, memory care, skilled nursing).

Section 2. Amendment. Section 21190.04 of the Plymouth City Code (ACCESSORY DWELLING UNITS) is amended as follows:

Subd. 1. ~~Accessory dwelling units may be allowed residential subdivisions that have received preliminary plat approval on or after June 1, 2001 and that include ten (10) or more single family lots, subject to the approval of an administrative permit. on residential lots with a detached, single-family home within the FRD, RSF-1, RSF-2, RSF-3, or residential PUD district. Accessory dwelling units are not allowed on properties with apartment buildings or attached townhomes.~~

Subd. 2. An accessory dwelling unit may be allowed provided all of the following conditions are met:

(a) An accessory dwelling unit ~~shall~~may be located above an ~~attached or detached~~ garage that is accessory to a single-family detached home; ~~located in the RSF R, RSF 1, RSF 2, or PUD zoning district.~~ internal to an existing single-family home; attached to an existing single-family home; above an attached garage; or detached as a standalone structure.

- (b) An administrative permit for the accessory dwelling unit ~~may~~ shall only be applied for concurrently with the application for a building permit ~~for construction of the principal structure on the lot~~
- (c) Not more than one (1) accessory dwelling unit shall be allowed per ~~on a single family detached lot.~~
- (d) ~~An attached or detached~~ Any accessory dwelling unit shall comply with the same minimum building setback requirements as required for the living portion of the principal dwelling unit.
- (e) Except as noted in (c) above or as otherwise specified in this subdivision, a detached accessory dwelling unit shall be subject to the same regulations as provided for under Section 21120 of this Chapter.
- (f) An accessory dwelling unit shall be a clearly incidental and subordinate use, ~~the gross floor area of which shall not exceed the gross floor area of the principal dwelling unit or one thousand (1,000) square feet, whichever is less. The allowed area for a detached dwelling unit shall be 30 percent of the area of the rear yard, to a maximum size of 700 square feet. If attached, 30 percent the gross floor area of the home, to a maximum size of 1000 square feet. Any accessory dwelling unit shall be a minimum of 200 square feet.~~
- (g) The exterior design of an accessory dwelling unit shall incorporate a similar architectural style, roof pitch, colors, and materials as the principal building on the lot, and shall be compatible with the character of the surrounding residential buildings, subject to approval by the Zoning Administrator.
- (h) The owner of the property shall reside ~~in~~ full time on the subject property for at least nine months of the year in the principal dwelling unit or in the accessory dwelling unit.
- (i) Rental of the accessory dwelling unit, or rental of the principal dwelling unit if the property owner resides in the accessory dwelling unit, shall require a City license pursuant to Chapter IV (Housing and Redevelopment) of the city Code. The accessory dwelling unit shall not be rented as a short-term rental.
- (j) There shall be no separate ownership of the accessory dwelling unit.
- (k) In addition to the parking spaces required for the principal dwelling unit on the lot, two ~~(2)~~ off-street parking spaces shall be provided for an accessory dwelling unit. Such accessory dwelling unit parking spaces shall not conflict with the principal dwelling unit parking spaces and shall comply with the requirements of this Chapter.
- (l) The accessory dwelling unit shall be addressed as a separate unit with the same numerical address as the principal structure pursuant to ~~An accessory dwelling unit shall have a separate address from the principal dwelling unit on the lot, and shall be identified with address numbers pursuant to~~ Chapter IV (Building Code) of the City Code.
- (m) The principal dwelling unit and accessory dwelling unit shall be created and maintained in compliance with Chapter IV (Building Code, Housing Maintenance, and Housing and Redevelopment) of the City Code.

(n) The principal dwelling unit and accessory dwelling unit shall be connected to municipal sewer and water and shall not have separate utilities from the principal structure.

(o) The accessory dwelling unit shall have a foundation and shall be a permanent structure.

(p) Any exterior entrance for the accessory dwelling unit shall be on the side or rear of the home.

(q) The applicant must demonstrate that the proposed new construction or modifications to existing construction comply with the building code.

(Amended by Ord. No 2009-07, 05/12/2009)

(Amended by Ord No. 2002-24, 06/25/02)

Section 3. Effective Date. This Ordinance shall be in full force and effect upon its passage.

ADOPTED by the City Council on this 8th day of August, 2023.

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Jeffry Wosje, Mayor

**ATTEST:**

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Jodi M. Gallup, City Clerk